

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:
Attn: OIPE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313

Date: February 27, 2006 | Name: JoAnne M. Varanelli | Signature:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Design Application of:)		
Dominique Dupuis)	Art Unit:	TBA
)		
Serial No.: 10/547,783)	Confirmation No.	7168
)		
Filing Date: May 23, 2005)	Docket No.:	99342.00063
)		
For: Method for Enhancing the Physico-Chemical)	Customer No.:	21832
Properties of Bitumen Compositions and)		
Novel Bitumen Compositions with)		
Enhanced Properties and Their Uses)		

ATTN: OIPE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

ATTN: OIPE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

PETITION UNDER 37 CFR § 1.10(c)

Dear Sir:

Pursuant to 37 CFR § 1.10(c), Applicant hereby submits this Petition to Correct 371 Formalities Letter in the above-identified application. Applicant petitions to correct a discrepancy between the date of deposit as shown by the "date-in" and the filing date accorded by the USPTO. Specifically, the 371 Formalities Letter issued by the USPTO on December 27, 2006 indicates the filed-on dates of the International application, the copy of the International Search Report, the U.S. Basic National Fees, and the Priority Document to be **June 23, 2005**.

As shown by the attached evidence, these papers were deposited directly with an employee of the United States Postal Service ("USPS") Hartford, Connecticut, 06199, as

"Express Mail Post Office To Addressee" under Express Mail Label No. EV56783556US on May 23, 2005.

In support of this Petition, Applicant submits herewith a true copy of Express Mail Label No. EV56783556US, showing a stamped "date-in" of May 23, 2005, in compliance with 37 CFR § 1.10(c)(3). Additionally, Applicant submits herewith a true copy of the Return Receipt Postcard, itemizing the papers comprising the correspondence and showing the affixed USPTO bar code label indicating a received date of "23 May 2005".

Having learned of the error in the filing date from the 371 Formalities Letter, Applicant has proceeded promptly to collect all requisite information and evidence and to prepare this petition upon learning of the error in accordance with 37 CFR § 1.10(c)(1).

The number of the "Express Mail" mailing label was placed on the correspondence prior to mailing in accordance with M.P.E.P. § 513. Moreover, the "Certificate Of Express Mailing" cover letter listed the Express Mail number and itemized the separate papers comprising the correspondence. Applicant thereby meets the requirements of 37 C.F.R. § 1.10(c)(2).


It is respectfully submitted that Applicant has satisfied the standards as set forth in M.P.E.P. § 513 and 37 C.F.R. § 1.10(c). Accordingly, it is respectfully requested that this petition be granted, and the filed-on dates accorded to the International Application; copy of the International Search Report; U.S. Basic National Fees; and Priority Document be corrected to indicate that such were filed on May 23, 2005.

No fee is believed to be required with this submission. However, if any fee or

extension is required, please consider this a petition therefore, or otherwise if necessary to cover any deficiency in fees already paid, authorization is hereby given to charge our Deposit Account No. 50-3569.

Respectfully submitted,

Date: February 27, 2006

By: 
Eric E. Grondahl
Registration No. 46,741
Attorney for Applicant

PTO Correspondence Address:

McCarter & English, LLP
CityPlace I
185 Asylum Street
Hartford, CT 06103
Tel: (860) 275-6719
Fax: (860) 724-3397



EV 567835561 US

**EXPRESS
MAIL**

UNITED STATES POSTAL SERVICE®

Customer Copy
Label 11-F, April 2004**Post Office To Addressee**

ORIGIN (POSTAL SERVICE USE ONLY)			DELIVERY (POSTAL SERVICE USE ONLY)		
PO ZIP Code 06199	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> 2nd <input type="checkbox"/> 2nd Del. Day	Postage \$	Delivery Attempt Mo. Day Time MAY 23 2005	Employee Signature	
Date Accepted 5/13/05	Scheduled Date of Delivery	Return Receipt Fee	Delivery Attempt Mo. Day Time	Employee Signature	
Mo. Day Year 5/13/05	Month Day 5 13	\$	Mo. Day Time	Employee Signature	
Time Accepted <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Scheduled Time of Delivery <input checked="" type="checkbox"/> Noon <input type="checkbox"/> 3 PM	COD Fee \$ Insurance Fee \$	Delivery Date Mo. Day Time	Employee Signature	
Flat Rate <input type="checkbox"/> or Weight lbs. 9 ozs. 9	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Total Postage & Fees \$ 13.65	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Mail Only) Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
Int'l Alpha Country Code	Acceptance Emp. Initials lu		NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		
CUSTOMER USE ONLY			Customer Signature		
METHOD OF PAYMENT: Express Mail Corporate Acct. No. X061056			Federal Agency Acct. No. or Postal Service Acct. No.		
FROM: (PLEASE PRINT) MCCARTER & ENGLISH 195 ASYLUM ST CITY PLACE 1 HARTFORD CT 06103-3402			TO: (PLEASE PRINT) MAIL STOP. PCT COMMISSIONER FOR TRADEMARKS PO BOX 1451 ARLINGTON VA 22313-1451		
99342.00063 US					

FOR PICKUP OR TRACKING: Visit **www.usps.com** or Call 1-800-222-1811



MS: PCT

JC04 Rec'd PCT/PTO 23 MAY 2005

PATENT

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
Sir: Kindly acknowledge receipt of the following papers by stamping and returning this card.

Serial No: TBA Filing Date: HEREWITH Atty: EEG Client No: 99342.00063US
Title: METHOD FOR ENHANCING THE Due Date: 5/22/05
(SUN)

- | | |
|---|--|
| <ul style="list-style-type: none"><input type="checkbox"/> A patent application including pages of abstract and specifications and claims<input type="checkbox"/> (Continuation) (Divisional) (CIP) (Provisional) (Utility) (CPA) (Complete) (Design) Application<input type="checkbox"/> Response to Notice to File Missing Parts<input type="checkbox"/> Copy of Notice to File Missing Parts<input type="checkbox"/> _____ sheets of drawings <input type="checkbox"/> formal <input type="checkbox"/> informal<input type="checkbox"/> Declaration/POA <input type="checkbox"/> executed <input type="checkbox"/> unexecuted<input type="checkbox"/> Assignment<input type="checkbox"/> Recordation Form Cover Sheet<input type="checkbox"/> Application Transmittal Letter<input type="checkbox"/> Preliminary Amendment<input type="checkbox"/> Amendment<input type="checkbox"/> Amendment Fee Transmittal Letter<input type="checkbox"/> Petition and Fee for Extension of Time<input type="checkbox"/> Information Disclosure Statement<input type="checkbox"/> PTO Form 1449 and Copies of Cited References (____)<input type="checkbox"/> Issue Fee Transmittal<input type="checkbox"/> Submission of Formal Drawings<input type="checkbox"/> Maintenance Fee | <ul style="list-style-type: none"><input type="checkbox"/> Certificate Under 37 CFR § 3.73(b)<input type="checkbox"/> Revocation And Substitute Power of Attorney<input type="checkbox"/> Associate Power of Attorney<input type="checkbox"/> Priority Document<input type="checkbox"/> PCT Request<input type="checkbox"/> PCT Demand<input type="checkbox"/> PCT Power of Attorney<input type="checkbox"/> PCT Transmittal Letter<input type="checkbox"/> PCT Fee Calculation Sheet<input type="checkbox"/> PCT Response to Invitation to Correct Defects<input checked="" type="checkbox"/> <u>PTO-1390 TRANSMITTAL LETTER</u><input type="checkbox"/> <u>(2ND PAGE IN DUPLICATE)</u><input type="checkbox"/> _____<input type="checkbox"/> _____<input type="checkbox"/> _____<input type="checkbox"/> Check in the amount of _____<input type="checkbox"/> Certificate of Mailing<input checked="" type="checkbox"/> Certificate of Express Mailing<input checked="" type="checkbox"/> Return postcard |
|---|--|

10/540783

No. EV567835561US

Date 5/23/05

MV